



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : John Mantegna et al
Serial No. : 09/845,084
Filed : April 30, 2001
Title : TEMPORAL DRIFT CORRECTION

Art Unit : 2622
Examiner : Unknown

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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REPLY TO ACTION OF JUNE 9, 2004

In reply to the Office Action of June 9, 2004, Applicant submits the following remarks.

Claims 1-23 are pending, with claims 1, 10, and 17 being independent.

Claims 1-23 stand rejected as allegedly anticipated by European Patent Application EP 921,666 A2 ("Ward"). Applicant requests withdrawal of this rejection because Ward does not describe or suggest the subject matter of independent claims 1, 10, or 17.

Independent claims 1, 10, and 17, respectively, recite a method, a computer program, and a computer system for temporal drift correction in a real-time electronic communication. As recited in the claims, a size of a receiving data buffer is measured, and the measured size is compared to a predetermined nominal data buffer size. An amount of temporal drift is determined based on the comparison of the measured data buffer size and the nominal data buffer size, a number of samples to be inserted in or removed from a playback data block to correct the temporal drift is determined, and the number of samples in the playback data block is modified to correct the temporal drift.

Ward does not describe or suggest a modifying a number of samples of a playback block to correct a temporal drift, and thus, Ward fails to anticipate the features of claims 1, 10, and 17.

More particularly, Ward relates to managing the reception of voice communication data in a packet-switched computer network. Abstract. A computer records a user's speech by sampling an analog voice signal at a rate of 8 kHz to create voice samples with a length of about 125 microseconds (i.e., the sample length is equal to the inverse of the sampling rate). Page 6, lines 1-2. A plurality of samples "are assembled into a frame or unit of samples", and "between

about 80 and 320 samples are collected into a frame or unit of voice data representing between about 10 to 40 milliseconds of sound.” Page 6, lines 4-6. The frames are received by a receiving computer and are stored in a buffer from which they are extracted for playback of the voice data. Normally, the frames are extracted sequentially from the buffer at a regular rate. However, a gate controller can increase the number of frames stored in the buffer by decreasing the rate at which they are extracted from the buffer or can decrease the number of frames in the buffer by increasing the rate at which they are extracted. For example, to decrease the number of frames in the buffer, the gate controller can extract two frames from the buffer, pass one of the frames to be processed, and discard the other frame. To increase the number of frames in the buffer, the gate controller can extract a substitute frame from a substitute register. Page 6, lines 32-49; page 4, lines 25-26. Thus, Ward merely modifies the rate at which playback blocks (or “frames”) are extracted from a buffer; Ward does not describe or suggest modifying a number of samples of a playback data block passing through the receiving data buffer.

In contrast, claim 1 recites a method in which the number of samples in the playback data block is modified to correct the temporal drift. Claims 10 and 17, respectively, recite a computer program and a computer system for modifying the number of samples in a playback data block to correct a temporal drift. Thus, the claims require modifying the number of samples in a playback data block to correct a temporal drift, rather than modifying the rate at which playback blocks (or “frames”) are extracted from a buffer, as in Ward.

For at least this reason, applicants request withdrawal of the rejection of independent claims 1, 10, and 17 and their dependent claims 2-9, 11-16, and 18-23.

No fees are believed to be due at this time. Please apply any other charges or credits to deposit account 06-1050, referencing Attorney Docket No. 06975-207001.

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Respectfully submitted,

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